

**THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

THOMAS ARMSTRONG, et al.,	)	
	)	
Plaintiffs,	)	Case No. 07-C-6916
	)	
	)	Hon. Ronald A. Guzman
	)	
	)	Magistrate Judge Sidney I. Schenkier
	)	
v.	)	REMOVAL OF ACTION FROM
	)	THE CIRCUIT COURT OF
	)	COOK COUNTY, ILLINOIS
	)	PURSUANT TO 28 U.S.C. §1441(a)
	)	(DIVERSITY OF CITIZENSHIP)
INTERACTIVE BROKERS, LLC,	)	
	)	
Defendant.	)	

**JOINT MOTION TO EXTEND TIME**

Plaintiffs Thomas Armstrong, et al. ("Plaintiffs"), and Defendant Interactive Brokers, LLC ("Interactive"), by their attorneys, respectfully submit this Joint Motion to Extend Time, and in support thereof state the following:

1. On November 9, 2007, Plaintiffs filed a civil action against Interactive in the Circuit Court of Cook County, Illinois, County Department, Law Division, titled *Thomas Armstrong, et al., v. Interactive Brokers, LLC*, Case No. 2007-L-012766 (the "State Court Action").
2. On December 7, 2007, Interactive filed its Notice of Removal, removing the State Court Action to this Court pursuant to 28 U.S.C. § 1441(a) (Diversity of Citizenship). (Doc. 1.)
3. Plaintiffs are currently considering whether to challenge the removal of this matter to this Court and respectfully request that the Court grant them until December 31, 2007, to file a motion to remand this matter to the Circuit Court of Cook County.
4. Interactive intends to file a motion to dismiss the complaint in this matter pursuant to Federal Rule of Civil Procedure 12(b)(6).

5. The parties agree that, in the interest of efficiency, and so as to not waste this Court's resources unnecessarily, Interactive should not file its motion to dismiss until such time that Plaintiffs' motion to remand, if filed, is resolved.

6. If Plaintiffs do not file a motion to remand by December 31, 2007, Interactive will file its motion to dismiss on or before January 11, 2008.

7. If Plaintiffs do file a motion to remand, and conduct any discovery in connection therewith, then Plaintiffs and Interactive suggest that the Court can at that time establish a schedule for the motion to remand and the time by which Interactive must answer or otherwise plead to the Complaint.

8. Therefore, Interactive and Plaintiffs seek entry of the attached Agreed Order which sets forth the dates above.

WHEREFORE, Interactive and Plaintiffs respectfully move this Court to enter the attached Agreed Order.

**Dated:** December 17, 2007.

Respectfully submitted,

**PETER J. BERMAN, LTD.**

**KATTEN MUCHIN ROSENMAN LLP**

By: s/Peter J. Berman

By: s/Dean V. Hoffman

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